

AMENDED IN ASSEMBLY APRIL 26, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1267

Introduced by Assembly Member Leslie

February 22, 2005

An act to amend Sections 13800, 13812, 13813, 13820, and 13823, and to add Section 13814 to, the Penal Code, relating to the Board of Corrections.

LEGISLATIVE COUNSEL'S DIGEST

AB 1267, as amended, Leslie. Board of Corrections.

Existing law establishes the Board of Corrections to study crime, to oversee local correctional facilities and activities, and to administer certain federal grants.

This bill would require the board to administer the State Advisory Group on Juvenile Justice and Delinquency Prevention, and to act as the supervisory board of the state planning agency pursuant to the federal Juvenile Justice and Delinquency Prevention Act of 1974. The bill would make related changes.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 13800 of the Penal Code is amended to
- 2 read:
- 3 13800. As used in this title:
- 4 (a) "Council" means the California Council on Criminal
- 5 Justice.
- 6 (b) "Board" means the Board of Corrections.

1 (c) “Office” means the agency or agencies designated by the
2 Director of Finance pursuant to Section 13820.

3 (d) “Local boards” means local criminal justice planning
4 boards.

5 (e) “Federal acts” means the Federal Omnibus Crime Control
6 and Safe Streets Act of 1968 and any act or acts amendatory or
7 supplemental thereto.

8 SEC. 2. Section 13812 of the Penal Code is amended to read:

9 13812. Members of the council shall receive no compensation
10 for their services but shall be reimbursed for their expenses
11 actually and necessarily incurred by them in the performance of
12 their duties under this title. No compensation or expenses shall be
13 received by the members of any continuing task forces, review
14 committees or other auxiliary bodies created by the council who
15 are not council members, except that persons requested to appear
16 before the council with regard to specific topics on one or more
17 occasions shall be reimbursed for the travel expenses necessarily
18 incurred in fulfilling those requests.

19 The State Advisory Group on Juvenile Justice and Delinquency
20 Prevention appointed by the Governor pursuant to federal law,
21 and administered by the board, may be reimbursed for expenses
22 necessarily incurred by the members. Staff support for the group
23 will be provided by the agency or agencies designated by the
24 board.

25 SEC. 3. Section 13813 of the Penal Code is amended to read:

26 13813. The council shall act as the supervisory board of the
27 state planning agency pursuant to federal acts. It shall annually
28 review and approve, or review, revise and approve, the
29 comprehensive state plan for the improvement of criminal justice
30 activities throughout the state, shall establish priorities for the use
31 of funds that are available pursuant to federal acts, and shall
32 approve the expenditure of all funds pursuant to those plans or
33 federal acts; provided that the approval of those expenditures
34 may be granted to single projects or to groups of projects.

35 SEC. 4. Section 13814 is added to the Penal Code, to read:

36 13814. The Board of Corrections shall act as the supervisory
37 board of the state planning agency pursuant to the federal
38 Juvenile Justice and Delinquency Prevention Act of 1974. The
39 board shall do all of the following:

1 (a) Review and approve, or review, revise and approve, as
2 required by federal regulation, the comprehensive state plan for
3 the improvement of delinquency prevention activities throughout
4 the state.

5 (b) Establish priorities for the use of the available federal
6 funds.

7 (c) Approve the expenditure of all funds pursuant to those
8 plans. Expenditures may be approved for use by a single projects
9 or groups of projects.

10 SEC. 5. Section 13820 of the Penal Code is amended to read:

11 13820. (a) The Office of Criminal Justice Planning is hereby
12 abolished. The Director of Finance shall designate an agency or
13 agencies to carry out the functions of the Office of Criminal
14 Justice Planning pursuant to subdivision (c). The duties and
15 obligations of that office, and all powers and authority exercised
16 by that office, shall be transferred to and assumed by the agency
17 or agencies designated according to subdivision (c).

18 (b) Except for this section, the phrase "Office of Criminal
19 Justice Planning" or any reference to that phrase in this code
20 shall be construed to mean or refer to the agency or agencies
21 designated pursuant to subdivision (c). Any reference to the
22 Executive Director of the Office of Criminal Justice Planning in
23 this code shall be construed to mean the appropriate person in the
24 agency or agencies so designated.

25 (c) Juvenile justice programs administered by the Office of
26 Criminal Justice Planning shall be transferred to the Board of
27 Corrections, law enforcement programs shall be transferred to the
28 Office of Emergency Services or other appropriate entity as
29 determined by the Director of Finance, and victims' services
30 shall be transferred to the California Victim Compensation and
31 Government Claims Board or other appropriate entity, as
32 determined by the Director of Finance.

33 SEC. 6. Section 13823 of the Penal Code is amended to read:

34 13823. (a) In cooperation with local boards, the agency or
35 agencies designated by the Director of Finance pursuant to
36 subdivision (c) of Section 13820 shall do all of the following:

37 (1) Develop, with the advice and approval of the council, the
38 comprehensive statewide plan for the improvement of criminal
39 justice and delinquency prevention activity throughout the state

1 for the federal Omnibus Crime Control and Safe Streets Act of
2 1968.

3 (2) Develop, ~~with the advice and approval of the board,~~ the
4 comprehensive statewide plan for the improvement of criminal
5 justice and delinquency prevention activity throughout the state
6 for the federal Juvenile Justice and Delinquency Prevention Act
7 of 1974.

8 (3) Define, develop, and correlate programs and projects for
9 the state criminal justice agencies.

10 (4) Receive and disburse federal funds, perform all necessary
11 and appropriate staff services required by the council and board,
12 and otherwise assist the council and board in the performance of
13 their duties.

14 (5) Develop comprehensive, unified, and orderly procedures to
15 insure that all local plans and all state and local projects are in
16 accord with the comprehensive state plan and that all applications
17 for grants are processed efficiently.

18 (6) Cooperate with and render technical assistance to the
19 Legislature, state agencies, units of general local government,
20 combinations of those units, or other public or private agencies,
21 organizations or institutions in matters relating to criminal justice
22 and delinquency prevention.

23 (7) Conduct evaluation studies of the programs and activities
24 assisted by the federal funds.

25 (b) The agency or agencies designated by the Director of
26 Finance pursuant to subdivision (c) of Section 13820 may do any
27 of the following:

28 (1) Collect, evaluate, publish, and disseminate statistics and
29 other information on the condition and progress of criminal
30 justice in the state.

31 (2) Perform other functions and duties as required by federal
32 acts, rules, regulations or guidelines in acting as the
33 administrative office of the state planning agency for distribution
34 of federal grants.